

# Mayor and City Council Agenda Item Request

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**Meeting Date:** 6/17/2013

**Type:** Policy Discussion / Staff Guidance

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**Call to Podium:**

Lynn Board, City Attorney

**Agenda Item Title:**

An Emergency Ordinance to Amend Chapter 2 of the City Code Entitled "Administration," Article II Entitled "Municipal-County Relations," Section 2-6 Entitled "Exemption from Montgomery County Legislation and Regulations With the City" so as to Delete the Provisions of Chapters 16 and 19 of the Montgomery County Code Entitled "Elections" and "Erosion, Sediment Control and Storm Water Management", Respectively, as Being Applicable and Enforceable Within the City

**Responsible Staff and Department:**

Lynn Board, City Attorney

Harold Belton, Director of Finance and Administration

Jim Arnoult, Director of Public Works

**Desired Outcome from Council:**

Vote on Ordinance

Public Hearing History	
Introduction Date:	5/20/2013
Advertisement Date :	5/21/2013
Public Hearing Date:	6/3/2013
Record Held Open Date:	6/7/2013
Policy Discussion Date:	6/17/2013
Anticipated Adoption Date:	6/17/2013

**SUPPORTING BACKGROUND ON NEXT PAGE**

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## **Supporting Background Information:**

On June 3, 2013, the Mayor and City Council held a public hearing. Staff is proposing to delete the provisions of Chapter 16 of the County Code from applicability within the City as the provisions in the County Code establish County election districts, referendum petition procedures, Charter referendum procedures and special election procedures when there is a council vacancy. The City currently regulates all of these areas either through the Charter or Article 23A of the Annotated Code of Maryland and the County provisions conflict with current City laws.

Staff is also proposing to delete the provisions of Chapter 19 of the County Code from applicability within the City as Chapter 19-35 establishes the County water quality protection charge. The City has included its own water quality protection charge in the FY'14 Fee Schedule and will be pursuing a study to recommend a future rate structure for the City. Deletion of the County Code provisions will allow the City to collect the past fee until such time as a new fee structure is developed.